



Sen. A. J. Wilhelmi

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09600SB3775sam001

LRB096 18655 AJT 38665 a

1 AMENDMENT TO SENATE BILL 3775

2 AMENDMENT NO. _____. Amend Senate Bill 3775 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Sections 1-129.1, 6-118, 6-206.1, and 6-208.1 as
6 follows:

7 (625 ILCS 5/1-129.1)

8 Sec. 1-129.1. Ignition interlock device, breath alcohol
9 ignition interlock device (BAIID). A device installed in a
10 motor vehicle that prevents the vehicle from starting until the
11 device has determined by an analysis of the driver's breath
12 that the driver's breath ~~blood~~ alcohol is below a certain
13 preset level.

14 (Source: P.A. 91-127, eff. 1-1-00.)

15 (625 ILCS 5/6-118) (from Ch. 95 1/2, par. 6-118)

1 Sec. 6-118. Fees.

2 (a) The fee for licenses and permits under this Article is
3 as follows:

4 Original driver's license \$30

5 Original or renewal driver's license
6 issued to 18, 19 and 20 year olds 5

7 All driver's licenses for persons
8 age 69 through age 80 5

9 All driver's licenses for persons
10 age 81 through age 86 2

11 All driver's licenses for persons
12 age 87 or older 0

13 Renewal driver's license (except for
14 applicants ages 18, 19 and 20 or
15 age 69 and older) 30

16 Original instruction permit issued to
17 persons (except those age 69 and older)
18 who do not hold or have not previously
19 held an Illinois instruction permit or
20 driver's license 20

21 Instruction permit issued to any person
22 holding an Illinois driver's license
23 who wishes a change in classifications,
24 other than at the time of renewal 5

25 Any instruction permit issued to a person
26 age 69 and older 5

1 Instruction permit issued to any person,
2 under age 69, not currently holding a
3 valid Illinois driver's license or
4 instruction permit but who has
5 previously been issued either document
6 in Illinois 10
7 Restricted driving permit 8
8 Monitoring device driving permit 8
9 Duplicate or corrected driver's license
10 or permit 5
11 Duplicate or corrected restricted
12 driving permit 5
13 Duplicate or corrected monitoring
14 device driving permit 5
15 Original or renewal M or L endorsement..... 5

16 SPECIAL FEES FOR COMMERCIAL DRIVER'S LICENSE

17 The fees for commercial driver licenses and permits
18 under Article V shall be as follows:

- 19 Commercial driver's license:
- 20 \$6 for the CDLIS/AAMVAnet Fund
 - 21 (Commercial Driver's License Information
 - 22 System/American Association of Motor Vehicle
 - 23 Administrators network Trust Fund);
 - 24 \$20 for the Motor Carrier Safety Inspection Fund;
 - 25 \$10 for the driver's license;
 - 26 and \$24 for the CDL: \$60

1 Renewal commercial driver's license:
2 \$6 for the CDLIS/AAMVAnet Trust Fund;
3 \$20 for the Motor Carrier Safety Inspection Fund;
4 \$10 for the driver's license; and
5 \$24 for the CDL: \$60

6 Commercial driver instruction permit
7 issued to any person holding a valid
8 Illinois driver's license for the
9 purpose of changing to a
10 CDL classification: \$6 for the
11 CDLIS/AAMVAnet Trust Fund;
12 \$20 for the Motor Carrier
13 Safety Inspection Fund; and
14 \$24 for the CDL classification \$50

15 Commercial driver instruction permit
16 issued to any person holding a valid
17 Illinois CDL for the purpose of
18 making a change in a classification,
19 endorsement or restriction \$5
20 CDL duplicate or corrected license \$5

21 In order to ensure the proper implementation of the Uniform
22 Commercial Driver License Act, Article V of this Chapter, the
23 Secretary of State is empowered to pro-rate the \$24 fee for the
24 commercial driver's license proportionate to the expiration
25 date of the applicant's Illinois driver's license.

26 The fee for any duplicate license or permit shall be waived

1 for any person age 60 or older who presents the Secretary of
2 State's office with a police report showing that his license or
3 permit was stolen.

4 No additional fee shall be charged for a driver's license,
5 or for a commercial driver's license, when issued to the holder
6 of an instruction permit for the same classification or type of
7 license who becomes eligible for such license.

8 (b) Any person whose license or privilege to operate a
9 motor vehicle in this State has been suspended or revoked under
10 Section 3-707, any provision of Chapter 6, Chapter 11, or
11 Section 7-205, 7-303, or 7-702 of the Family Financial
12 Responsibility Law of this Code, shall in addition to any other
13 fees required by this Code, pay a reinstatement fee as follows:

14	Suspension under Section 3-707	\$100
15	Summary suspension under Section 11-501.1	
16	<u>For a person opting-in to the MDDP.....</u>	\$250
17	<u>For a person opting-out of the MDDP</u>	<u>\$1,000</u>
18	Other suspension	\$70
19	Revocation	\$500

20 However, any person whose license or privilege to operate a
21 motor vehicle in this State has been suspended or revoked for a
22 second or subsequent time for a violation of Section 11-501 or
23 11-501.1 of this Code or a similar provision of a local
24 ordinance or a similar out-of-state offense or Section 9-3 of
25 the Criminal Code of 1961 and each suspension or revocation was
26 for a violation of Section 11-501 or 11-501.1 of this Code or a

1 similar provision of a local ordinance or a similar
2 out-of-state offense or Section 9-3 of the Criminal Code of
3 1961 shall pay, in addition to any other fees required by this
4 Code, a reinstatement fee as follows:

- 5 Summary suspension under Section 11-501.1 \$500
- 6 Revocation \$500

7 (c) All fees collected under the provisions of this Chapter
8 shall be paid into the Road Fund in the State Treasury except
9 as follows:

10 1. The following amounts shall be paid into the Driver
11 Education Fund:

12 (A) \$16 of the \$20 fee for an original driver's
13 instruction permit;

14 (B) \$5 of the \$30 fee for an original driver's
15 license;

16 (C) \$5 of the \$30 fee for a 4 year renewal driver's
17 license;

18 (D) \$4 of the \$8 fee for a restricted driving
19 permit; and

20 (E) \$4 of the \$8 fee for a monitoring device
21 driving permit.

22 2. \$30 of the \$250 fee for reinstatement of a license
23 summarily suspended under Section 11-501.1 shall be
24 deposited into the Drunk and Drugged Driving Prevention
25 Fund. \$750 of the \$1,000 reinstatement fee for a person
26 opting out of the MDDP shall be deposited into the Indigent

1 BAIID Fund. However, for a person whose license or
2 privilege to operate a motor vehicle in this State has been
3 suspended or revoked for a second or subsequent time for a
4 violation of Section 11-501 or 11-501.1 of this Code or
5 Section 9-3 of the Criminal Code of 1961, \$190 of the \$500
6 fee for reinstatement of a license summarily suspended
7 under Section 11-501.1, and \$190 of the \$500 fee for
8 reinstatement of a revoked license shall be deposited into
9 the Drunk and Drugged Driving Prevention Fund.

10 3. \$6 of such original or renewal fee for a commercial
11 driver's license and \$6 of the commercial driver
12 instruction permit fee when such permit is issued to any
13 person holding a valid Illinois driver's license, shall be
14 paid into the CDLIS/AAMVAnet Trust Fund.

15 4. \$30 of the \$70 fee for reinstatement of a license
16 suspended under the Family Financial Responsibility Law
17 shall be paid into the Family Responsibility Fund.

18 5. The \$5 fee for each original or renewal M or L
19 endorsement shall be deposited into the Cycle Rider Safety
20 Training Fund.

21 6. \$20 of any original or renewal fee for a commercial
22 driver's license or commercial driver instruction permit
23 shall be paid into the Motor Carrier Safety Inspection
24 Fund.

25 7. The following amounts shall be paid into the General
26 Revenue Fund:

1 (A) \$190 of the \$250 reinstatement fee for a
2 summary suspension under Section 11-501.1;

3 (B) \$40 of the \$70 reinstatement fee for any other
4 suspension provided in subsection (b) of this Section;
5 and

6 (C) \$440 of the \$500 reinstatement fee for a first
7 offense revocation and \$310 of the \$500 reinstatement
8 fee for a second or subsequent revocation.

9 (d) All of the proceeds of the additional fees imposed by
10 this amendatory Act of the 96th General Assembly shall be
11 deposited into the Capital Projects Fund.

12 (e) The additional fees imposed by this amendatory Act of
13 the 96th General Assembly shall become effective 90 days after
14 becoming law.

15 (Source: P.A. 95-855, eff. 1-1-09; 96-34, eff. 7-13-09; 96-38,
16 eff. 7-13-09.)

17 (625 ILCS 5/6-206.1) (from Ch. 95 1/2, par. 6-206.1)

18 Sec. 6-206.1. Monitoring Device Driving Permit.
19 Declaration of Policy. It is hereby declared a policy of the
20 State of Illinois that the driver who is impaired by alcohol,
21 other drug or drugs, or intoxicating compound or compounds is a
22 threat to the public safety and welfare. Therefore, to provide
23 a deterrent to such practice, a statutory summary driver's
24 license suspension is appropriate. It is also recognized that
25 driving is a privilege and therefore, that the granting of

1 driving privileges, in a manner consistent with public safety,
2 is warranted during the period of suspension in the form of a
3 monitoring device driving permit. A person who drives and fails
4 to comply with the requirements of the monitoring device
5 driving permit commits a violation of Section 6-303 of this
6 Code.

7 The following procedures shall apply whenever a first
8 offender is arrested for any offense as defined in Section
9 11-501 or a similar provision of a local ordinance:

10 (a) Subsequent to a notification of a statutory summary
11 suspension of driving privileges as provided in Section
12 11-501.1, the court, after informing the first offender, as
13 defined in Section 11-500, that he or she must either elect to
14 opt-in or opt-out ~~of his or her right to have~~ a monitoring
15 device driving permit, hereinafter referred to as a MDDP,
16 issued, and of the obligations of the MDDP, shall forward the
17 written decision of the first offender to ~~enter an order~~
18 ~~directing~~ the Secretary of State (hereinafter referred to as
19 the Secretary) ~~to issue a MDDP to the offender, unless the~~
20 ~~offender has opted, in writing, not to have a MDDP issued.~~
21 After opting-out ~~opting-out~~ of having a MDDP issued, at any
22 time during the summary suspension, the offender may elect to
23 opt-in, in writing, by requesting that the court forward
24 written notice of the offender's decision to the Secretary of
25 State, in a form prescribed by the Secretary of State,
26 requesting ~~petition the court for an order directing~~ the

1 Secretary to issue a MDDP. However, the court shall not allow
2 an offender to opt-in to having ~~enter the order directing~~ the
3 Secretary to issue the MDDP, in any instance, if the court
4 finds:

5 (1) The offender's driver's license is otherwise
6 invalid;

7 (2) Death or great bodily harm resulted from the arrest
8 for Section 11-501;

9 (3) That the offender has been previously convicted of
10 reckless homicide or aggravated driving under the
11 influence involving death; or

12 (4) That the offender is less than 18 years of age.

13 Any ~~court order for a MDDP shall order the person~~ issued a
14 MDDP is required to pay the Secretary a MDDP Administration Fee
15 in an amount not to exceed \$30 per month, to be deposited into
16 the Monitoring Device Driving Permit Administration Fee Fund.
17 The Secretary shall establish by rule the amount and the
18 procedures, terms, and conditions relating to these fees. The
19 ~~The order shall further specify that the~~ offender must have an
20 ignition interlock device installed within 14 days of the date
21 the Secretary issues the MDDP. The ignition interlock device
22 provider must notify the Secretary, in a manner and form
23 prescribed by the Secretary, of the installation. If the
24 Secretary does not receive notice of installation, the
25 Secretary shall cancel the MDDP. The Secretary shall allow the
26 person to pay any initial ignition interlock device setup or

1 installation fees in equal monthly installments or any other
2 alternative payment system so long as all such fees are paid
3 prior to the person's full driving privileges being reinstated.
4 The person must continue to drive under the MDDP until all
5 required fees related to the MDDP are paid in full.

6 A MDDP shall not become effective prior to the 31st day of
7 the original statutory summary suspension.

8 (a-1) A person issued a MDDP may drive for any purpose and
9 at any time, subject to the rules adopted by the Secretary
10 under subsection (g). The person must, at his or her own
11 expense, drive only vehicles equipped with an ignition
12 interlock device as defined in Section 1-129.1, but in no event
13 shall such person drive a commercial motor vehicle.

14 (a-2) Persons who are issued a MDDP and must drive
15 employer-owned vehicles in the course of their employment
16 duties may seek permission to drive an employer-owned vehicle
17 that does not have an ignition interlock device. The employer
18 shall provide to the Secretary a form, as prescribed by the
19 Secretary, completed by the employer verifying that the
20 employee must drive an employer-owned vehicle in the course of
21 employment. If approved by the Secretary, the form must be in
22 the driver's possession while operating an employer-owner
23 vehicle not equipped with an ignition interlock device. No
24 person may use this exemption to drive a school bus, school
25 vehicle, or a vehicle designed to transport more than 15
26 passengers. No person may use this exemption to drive an

1 employer-owned motor vehicle that is owned by an entity that is
2 wholly or partially owned by the person holding the MDDP, or by
3 a family member of the person holding the MDDP. No person may
4 use this exemption to drive an employer-owned vehicle that is
5 made available to the employee for personal use. No person may
6 drive the exempted vehicle more than 12 hours per day, 6 days
7 per week.

8 (a-3) Persons who are issued a MDDP and who must drive a
9 farm tractor to and from a farm, within 50 air miles from the
10 originating farm, are exempt from installation of a BAIID on
11 the farm tractor so long as the farm tractor is being used for
12 the exclusive purpose of conducting farm operations.

13 (b) (Blank).

14 (c) (Blank).

15 (c-1) If the holder of the MDDP is convicted of or receives
16 court supervision for a violation of Section 6-206.2, 6-303,
17 11-204, 11-204.1, 11-401, 11-501, 11-503, 11-506 or a similar
18 provision of a local ordinance or a similar out-of-state
19 offense or is convicted of or receives court supervision for
20 any offense for which alcohol or drugs is an element of the
21 offense and in which a motor vehicle was involved (for an
22 arrest other than the one for which the MDDP is issued), or
23 de-installs the BAIID without prior authorization from the
24 Secretary, the MDDP shall be cancelled.

25 (c-5) If the court determines that the person seeking the
26 MDDP is indigent, the court shall provide the person with a

1 written document, in a form prescribed by the Secretary, as
2 evidence of that determination, and the person shall provide
3 that written document to an ignition interlock device provider.
4 The provider shall install an ignition interlock device on that
5 person's vehicle without charge to the person, and seek
6 reimbursement from the Indigent BAIID Fund. If the court has
7 deemed an offender indigent, the BAIID provider shall also
8 provide the normal monthly monitoring services and the
9 de-installation without charge to the offender and seek
10 reimbursement from the Indigent BAIID Fund. Any other monetary
11 charges, such as a lockout fee or reset fee, shall be the
12 responsibility of the MDDP holder. A BAIID provider may not
13 seek a security deposit from the Indigent BAIID Fund. The court
14 shall also forward a copy of the indigent determination to the
15 Secretary, in a manner and form as prescribed by the Secretary.

16 (d) The Secretary shall, upon receiving written notice from
17 the a court of the person's decision to opt-in order, issue a
18 MDDP to a person who applies for a MDDP under this Section.
19 Such written notice ~~court order~~ shall contain the name,
20 driver's license number, and legal address of the applicant.
21 This information shall be available only to the courts, police
22 officers, and the Secretary, except during the actual period
23 the MDDP is valid, during which time it shall be a public
24 record. The Secretary shall design and furnish to the courts ~~an~~
25 official opt-in and opt-out forms ~~court order form~~ to be used
26 by the courts when forwarding written notice of the person's

1 decision opt-in or opt-out to have ~~directing~~ the Secretary ~~to~~
2 issue a MDDP.

3 Any submitted written notice ~~court order~~ that contains
4 insufficient data or fails to comply with this Code shall not
5 be utilized for MDDP issuance or entered to the driver record
6 but shall be returned to the issuing court indicating why the
7 MDDP cannot be so entered. A notice of this action shall also
8 be sent to the MDDP applicant by the Secretary.

9 (e) (Blank).

10 (f) (Blank).

11 (g) The Secretary shall adopt rules for implementing this
12 Section. The rules adopted shall address issues including, but
13 not limited to: compliance with the requirements of the MDDP;
14 methods for determining compliance with those requirements;
15 the consequences of noncompliance with those requirements;
16 what constitutes a violation of the MDDP; and the duties of a
17 person or entity that supplies the ignition interlock device.

18 (h) The rules adopted under subsection (g) shall provide,
19 at a minimum, that the person is not in compliance with the
20 requirements of the MDDP if he or she:

21 (1) tampers or attempts to tamper with or circumvent
22 the proper operation of the ignition interlock device;

23 (2) provides valid breath samples that register blood
24 alcohol levels in excess of the number of times allowed
25 under the rules;

26 (3) fails to provide evidence sufficient to satisfy the

1 Secretary that the ignition interlock device has been
2 installed in the designated vehicle or vehicles; or

3 (4) fails to follow any other applicable rules adopted
4 by the Secretary.

5 (i) Any person or entity that supplies an ignition
6 interlock device as provided under this Section shall, in
7 addition to supplying only those devices which fully comply
8 with all the rules adopted under subsection (g), provide the
9 Secretary, within 7 days of inspection, all monitoring reports
10 of each person who has had an ignition interlock device
11 installed. These reports shall be furnished in a manner or form
12 as prescribed by the Secretary.

13 (j) Upon making a determination that a violation of the
14 requirements of the MDDP has occurred, the Secretary shall
15 extend the summary suspension period for an additional 3 months
16 beyond the originally imposed summary suspension period,
17 during which time the person shall only be allowed to drive
18 vehicles equipped with an ignition interlock device; provided
19 further there are no limitations on the total number of times
20 the summary suspension may be extended. The Secretary may,
21 however, limit the number of extensions imposed for violations
22 occurring during any one monitoring period, as set forth by
23 rule. Any person whose summary suspension is extended pursuant
24 to this Section shall have the right to contest the extension
25 through a hearing with the Secretary, pursuant to Section 2-118
26 of this Code. If the summary suspension has already terminated

1 prior to the Secretary receiving the monitoring report that
2 shows a violation, the Secretary shall be authorized to suspend
3 the person's driving privileges for 3 months, provided that the
4 Secretary may, by rule, limit the number of suspensions to be
5 entered pursuant to this paragraph for violations occurring
6 during any one monitoring period. Any person whose license is
7 suspended pursuant to this paragraph, after the summary
8 suspension had already terminated, shall have the right to
9 contest the suspension through a hearing with the Secretary,
10 pursuant to Section 2-118 of this Code. The only permit the
11 person shall be eligible for during this new suspension period
12 is a MDDP.

13 (k) A person who has had his or her summary suspension
14 extended for the third time, or has any combination of 3
15 extensions and new suspensions, entered as a result of a
16 violation that occurred while holding the MDDP, so long as the
17 extensions and new suspensions relate to the same summary
18 suspension, shall have his or her vehicle impounded for a
19 period of 30 days, at the person's own expense. A person who
20 has his or her summary suspension extended for the fourth time,
21 or has any combination of 4 extensions and new suspensions,
22 entered as a result of a violation that occurred while holding
23 the MDDP, so long as the extensions and new suspensions relate
24 to the same summary suspension, shall have his or her vehicle
25 subject to seizure and forfeiture. The Secretary shall notify
26 the prosecuting authority of any third or fourth extensions or

1 new suspension entered as a result of a violation that occurred
2 while the person held a MDDP. Upon receipt of the notification,
3 the prosecuting authority shall impound or forfeit the vehicle.

4 (l) A person whose driving privileges have been suspended
5 under Section 11-501.1 of this Code and who had a MDDP that was
6 cancelled, or would have been cancelled had notification of a
7 violation been received prior to expiration of the MDDP,
8 pursuant to subsection (c-1) of this Section, shall not be
9 eligible for reinstatement when the summary suspension is
10 scheduled to terminate. Instead, the person's driving
11 privileges shall be suspended for a period of not less than
12 twice the original summary suspension period, or for the length
13 of any extensions entered under subsection (j), whichever is
14 longer. During the period of suspension, the person shall be
15 eligible only to apply for a restricted driving permit. If a
16 restricted driving permit is granted, the offender may only
17 operate vehicles equipped with a BAIID in accordance with this
18 Section.

19 (m) Any person or entity that supplies an ignition
20 interlock device under this Section shall, for each ignition
21 interlock device installed, pay 5% of the total gross revenue
22 received for the device, including monthly monitoring fees,
23 into the Indigent BAIID Fund. This 5% shall be clearly
24 indicated as a separate surcharge on each invoice that is
25 issued. The Secretary shall conduct an annual review of the
26 fund to determine whether the surcharge is sufficient to

1 provide for indigent users. The Secretary may increase or
2 decrease this surcharge requirement as needed.

3 (n) Any person or entity that supplies an ignition
4 interlock device under this Section that is requested to
5 provide an ignition interlock device to a person who presents
6 written documentation of indigency from the court, as provided
7 in subsection (c-5) of this Section, shall install the device
8 on the person's vehicle without charge to the person and shall
9 seek reimbursement from the Indigent BAIID Fund.

10 (o) The Indigent BAIID Fund is created as a special fund in
11 the State treasury. The Secretary shall, subject to
12 appropriation by the General Assembly, use all money in the
13 Indigent BAIID Fund to reimburse ignition interlock device
14 providers who have installed devices in vehicles of indigent
15 persons pursuant to ~~court orders issued under~~ this Section. The
16 Secretary shall make payments to such providers every 3 months.
17 If the amount of money in the fund at the time payments are
18 made is not sufficient to pay all requests for reimbursement
19 submitted during that 3 month period, the Secretary shall make
20 payments on a pro-rata basis, and those payments shall be
21 considered payment in full for the requests submitted.

22 (p) The Monitoring Device Driving Permit Administration
23 Fee Fund is created as a special fund in the State treasury.
24 The Secretary shall, subject to appropriation by the General
25 Assembly, use the money paid into this fund to offset its
26 administrative costs for administering MDDPs.

1 (Source: P.A. 95-400, eff. 1-1-09; 95-578, eff. 1-1-09; 95-855,
2 eff. 1-1-09; 95-876, eff. 8-21-08; 96-184, eff. 8-10-09.)

3 (625 ILCS 5/6-208.1) (from Ch. 95 1/2, par. 6-208.1)

4 Sec. 6-208.1. Period of statutory summary alcohol, other
5 drug, or intoxicating compound related suspension.

6 (a) Unless the statutory summary suspension has been
7 rescinded, any person whose privilege to drive a motor vehicle
8 on the public highways has been summarily suspended, pursuant
9 to Section 11-501.1, shall not be eligible for restoration of
10 the privilege until the expiration of:

11 1. Twelve months from the effective date of the
12 statutory summary suspension for a refusal or failure to
13 complete a test or tests to determine the alcohol, drug, or
14 intoxicating compound concentration, pursuant to Section
15 11-501.1; or

16 2. Six months from the effective date of the statutory
17 summary suspension imposed following the person's
18 submission to a chemical test which disclosed an alcohol
19 concentration of 0.08 or more, or any amount of a drug,
20 substance, or intoxicating compound in such person's
21 breath, blood, or urine resulting from the unlawful use or
22 consumption of cannabis listed in the Cannabis Control Act,
23 a controlled substance listed in the Illinois Controlled
24 Substances Act, an intoxicating compound listed in the Use
25 of Intoxicating Compounds Act, or methamphetamine as

1 listed in the Methamphetamine Control and Community
2 Protection Act, pursuant to Section 11-501.1; or

3 3. Three years from the effective date of the statutory
4 summary suspension for any person other than a first
5 offender who refuses or fails to complete a test or tests
6 to determine the alcohol, drug, or intoxicating compound
7 concentration pursuant to Section 11-501.1; or

8 4. One year from the effective date of the summary
9 suspension imposed for any person other than a first
10 offender following submission to a chemical test which
11 disclosed an alcohol concentration of 0.08 or more pursuant
12 to Section 11-501.1 or any amount of a drug, substance or
13 compound in such person's blood or urine resulting from the
14 unlawful use or consumption of cannabis listed in the
15 Cannabis Control Act, a controlled substance listed in the
16 Illinois Controlled Substances Act, an intoxicating
17 compound listed in the Use of Intoxicating Compounds Act,
18 or methamphetamine as listed in the Methamphetamine
19 Control and Community Protection Act.

20 (b) Following a statutory summary suspension of the
21 privilege to drive a motor vehicle under Section 11-501.1,
22 driving privileges shall be restored unless the person is
23 otherwise suspended, revoked, or cancelled by this Code. If the
24 court has reason to believe that the person's driving privilege
25 should not be restored, the court shall notify the Secretary of
26 State prior to the expiration of the statutory summary

1 suspension so appropriate action may be taken pursuant to this
2 Code.

3 (c) Driving privileges may not be restored until all
4 applicable reinstatement fees, as provided by this Code, have
5 been paid to the Secretary of State and the appropriate entry
6 made to the driver's record.

7 (d) Where a driving privilege has been summarily suspended
8 under Section 11-501.1 and the person is subsequently convicted
9 of violating Section 11-501, or a similar provision of a local
10 ordinance, for the same incident, any period served on
11 statutory summary suspension shall be credited toward the
12 minimum period of revocation of driving privileges imposed
13 pursuant to Section 6-205.

14 (e) Following a statutory summary suspension of driving
15 privileges pursuant to Section 11-501.1, for a first offender,
16 the circuit court shall inform the first offender that he or
17 she must either elect to opt-in by sending written notice to
18 the Secretary of State, in a form prescribed by the Secretary
19 of State, to have, unless the offender has opted in writing not
20 to have a monitoring device driving permit issued, order the
21 Secretary of State to issue a monitoring device driving permit,
22 as provided in Section 6-206.1, or opt-out of the monitoring
23 device driving permit by sending written notice to the
24 Secretary of State in a form prescribed by the Secretary of
25 State. The circuit court shall inform the first offender of all
26 costs associated with either opting-in or opting-out of the

1 monitoring device driving permit, including, but not limited
2 to, BAIID installation fees, monthly MDDP Administration Fees,
3 as provided by Section 6-206.1, and license reinstatement fees
4 after a summary suspension under Section 11-501.1, as provided
5 by Section 6-118. A monitoring device driving permit shall not
6 be effective prior to the 31st day of the statutory summary
7 suspension.

8 (f) (Blank).

9 (g) Following a statutory summary suspension of driving
10 privileges pursuant to Section 11-501.1 where the person was
11 not a first offender, as defined in Section 11-500, the
12 Secretary of State may not issue a restricted driving permit.

13 (h) (Blank).

14 (Source: P.A. 95-355, eff. 1-1-08; 95-400, eff. 1-1-09; 95-876,
15 eff. 8-21-08.)

16 Section 99. Effective date. This Act takes effect January
17 1, 2011".